

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 330 of 1987  
with  
CIVIL APPLICATION No 2281 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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RAVJIBHAI POPATBHAI VASANI

Versus

MATHURABHAI SHAMBHUBHAI

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Appearance:

SERVED for Appellant

MR FA MEMON for Respondents

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CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 16/09/97

#### ORAL JUDGEMENT

This appeal is directed against the order dated August 18, 1987, passed by the City Civil Court, Ahmedabad below Notice of Motion in Civil Suit Nos. 5775 of 1986 and 6091 of 1986. This Court had passed interim order dated November 9, 1987 in Civil Application No. 2281 of 1987 granting ad interim relief staying the operation and implementation of the order under appeal by

permitting respondent no.2Ahmedabad Electricity Company to supply electricity to the appellant and its partner

during pendency of the appeal. Since electricity is a basic necessity and the relief was granted in favour of the appellant as far back as on November 9, 1987, no ground is made out to vacate or modify the said relief.

In the result, the appeal is partly allowed and it is directed that the ad interim relief which was granted by order dated November 9, 1987 passed by this Court in Civil Application No. 2281 of 1987, shall continue till disposal of the suit.

In terms of the aforesaid directions, the appeal as well as the Civil Application are disposed of with no order as to costs.

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Amp/-